

20 MAG 2673

ORIGINAL

Approved: _____

Danielle M. Kudla
Assistant United States Attorney

Before: THE HONORABLE ONA T. WANG
United States Magistrate Judge
Southern District of New York

- - - - - x

: SEALED COMPLAINT

UNITED STATES OF AMERICA

: Violation of
: 18 U.S.C. § 1361 and 2

- v. -

CLAY GOLDSMID

: COUNTY OF OFFENSE:
: New York

Defendant.

:

:

- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

BERT LA CROIX, being duly sworn, deposes and says that he is a Special Agent with the Federal Protective Service, U.S. Department of Homeland Security ("DHS FPS"), and charges as follows:

COUNT ONE

(Injuring the Property of the United States)

1. On or about December 21, 2019, in the Southern District of New York and elsewhere, CLAY GOLDSMID, the defendant, knowingly and willfully did injure and commit a depredation against property of the United States and of a department and agency thereof, to wit, GOLDSMID damaged decorative glass and a magnetic door lock belonging to the United States Court of International Trade ("CIT"), located near 1 Federal Plaza, Manhattan, New York, and the resulting damage was greater than \$1000.

(Title 18, United States Code, Sections 1361 and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a Special Agent with DHS FPS, and I have been personally involved in the investigation of this matter. This affidavit is based upon my investigation and my examination of reports, records, video, and photographs. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my participation in the investigation, my examination of reports, records, video, photographs, and the CIT decorative rock garden, along with my conversations with other law enforcement officers, I have learned the following:

a. On or about December 21, 2019, between approximately 4:00 a.m. and 6:00 a.m., an individual, later identified as CLAY GOLDSMID, the defendant, forcefully entered the CIT through the judges' entrance without permission. While inside the CIT, GOLDSMID, the defendant, urinated in the CIT's decorative rock garden, struck his phone against a decorative glass wall within the decorative rock garden, and smashed a decorative rock. The defendant exited the CIT at approximately 6:00 a.m. through the same entrance that he arrived, leaving behind a dismantled cellphone.

b. Several days after the incident, an on-duty protective security officer posted within the decorative rock garden found a SIM card on the ground.

c. Database records identified the phone number associated with the SIM card ("Cellphone Number-1").

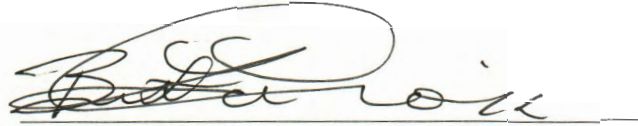
d. Database records further identified GOLDSMID, as the individual associated with Cellphone Number-1.

4. Based on my review of law enforcement database records and video surveillance from on or about December 21, 2019, CLAY GOLDSMID's driver's license photograph appears to match the individual in the CIT video surveillance footage.

5. Based on my review of repair receipts, I have learned that the replacement cost for the decorative glass and the magnetic door lock that were both damaged on or about December 21, 2019, is approximately \$21,869.

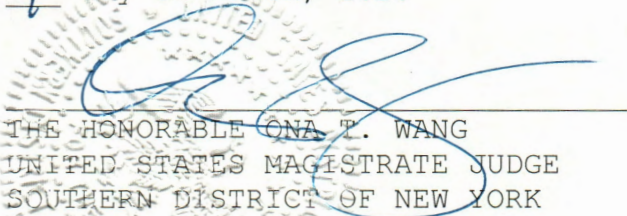
[Type here]

WHEREFORE, deponent respectfully requests that a warrant issue for the arrest of CLAY GOLDSMID, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.



SPECIAL AGENT BERT LA CROIX
Federal Protective Service
U.S. Department of Homeland Security

Sworn to before me this
9th day of March, 2020



THE HONORABLE QINA T. WANG
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK